

Previous References

193 .

(Counts)

File No. 189-46

Serial Nos. 1-2

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two and

Part B for March 1941

SUBJECT.

Introduction of a Register for entering details relating to the applications for rateable distribution under Sec 70 C.P.

Serial
No.

From
The Registrar High Court
No R.C. 49 of 5.3.1941.

Requests sanction to introduce a Register for
entering the details relating to the applications for
notable distribution under Sec 73 C.P.C.

Submitted with a draft of a G.O.

Com
15/3
17/3

May be approved
3
17/3

I Member)

Hm
2
18/3/41.

all
21/3/41
3
18/3/41

Hm
2
24/3/41.

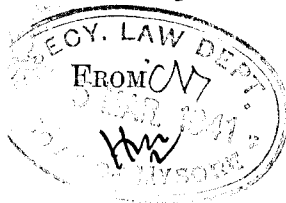
lin
3
24/3

to the Registrar, High Court
No P. 4876 of 27.3.41

Sanction the introduction of Register
No XXXIV (C.P.C.) and its maintenance

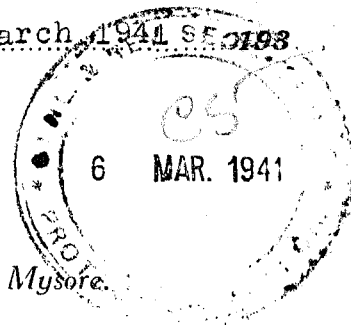
Bangalore, 4th March 1941 550193

Enc: Lrv



T. Shamiengar, Esq., B.A., B.L.,
~~As Sundararaja Rao, Esq., B.A., B.L.,~~
~~S. Venkata Ranga Iyengar, Esq., B.A., LL.M.,~~

Registrar, High Court of Mysore.



To

2/3/41

H. V. Narayana Rao, Esq., B.A., LL.B.,
Secretary to the Government of Mysore,
Law Department, BANGALORE.

SIR,

I am directed to state that in the absence of a prescribed register of applications for rateable distribution under Section 73 of the Code of Civil Procedure experience shows that applications made in time are sometimes lost sight of. In order to prevent that the Judges of the High Court propose to introduce a register in the form enclosed with certain instructions regarding its use.

2. The intention in drafting the form has been that one case only, in which rateable distribution is claimed, should be entered on a page and that the claimants, the dates of their applications for rateable distribution, the amounts of their claims and the proportionate amounts to be distributed should be entered downwards in their respective columns in order that they can be checked at a glance. The register is designed not as a mere record but also for use in making the distribution by preventing claims being overlooked and making the details for calculation easily and completely available.

3. I am directed therefore to request that the Government may be pleased to accord sanction under Section 130 of the Code of Civil Procedure for the introduction of the Register with instructions as appended for use in the Civil Courts of the State as Register No. XXXIV (Civil).

I have the honour to be,
Sir,
Your most obedient servant

J. Shamma
REGISTRAR.

INSTRUCTIONS FOR THE MAINTENANCE OF THE
REGISTER No.XXXIV (Civil).

1. One page of the Register should be used for each Execution Case in respect of the assets in which rateable distribution is claimed.
2. That Execution case should be entered as soon as a claim for rateable distribution is made in respect of it, the details for the claim being entered at the same time and the entries being initialled by the head ministerial officer of the Court.
3. Subsequent applications for rateable distribution in the said main Execution Case should be entered as soon as they are received and the entries should be initialled by the head ministerial officer of the Court.
4. The entries in Column 7 should be in accordance with the order of the Judge for distribution.

J. Shanivargan
REGISTRAR.
ll

REGISTER No. XXXIV (Civil).

REGISTER OF APPLICATIONS FOR RATEABLE DISTRIBUTION.

Judgment-debtor's Name:--		
Amount available for rateable distribution.	Rs. as. ps.	
Execution case (with number of suit) in which assets are realised.	Name of Decree-holder.	Date when assets received in Court.
	Amount of decree in respect of which the decree-holder is entitled to rateable distribution.	Amount to which the decree-holder is entitled to rateable distribution.
		Date of Judge's Order for distribution.
3.	4.	5.
	6.	7.
	Rs. as. ps.	Rs. as. ps.

Number of execution cases (with numbers of suits) in which rateable distribution is claimed.	Names of the Decree-holders claiming rateable distribution.	Dates of applications for rateable distribution.
--	---	--

Amount to be distributed among the decree-holders.

Amount, if any, to be paid to the Judgment-debtor.

Diary No. of letter replied to

General and Revenue Secretariat

Section. *ct5*

File No. *189-60*

Serial No. *2*

Proceedings of the Government of
His Highness the Maharaja of Mysore

Date of issue *27-3-* 19*41*

Signed by *M. K. P. P.*

May this be—

- (i) printed ?
- (ii) treated as a standing order ?
- (iii) published in the Gazette,
English Part ?
- (iv) translated ?
- (v) placed at the disposal of the press
- (vi) published in the Gazette,
Kannada Part ?

Read—

Letter No. Koe pehu No 249/39-40
of 5.3.1941 from the Registrar
Civil Court of Mysore
Requesting sanction to introduce
a Register as Register No XXXIV
(civil) for incorporating the details
connected with the applications
~~order thereon.~~ No. for notable distribution
under Section 73 of the Code
of civil procedure and to issue
~~extraordinary~~ necessary instructions
for the maintenance of the
said Register in all the
Civil Courts in the

2) The Statements relating to the approved form of the Register XXXIV (civl) and the instructions for the maintenance of the Register are appended to this Order

Hm
2/18/34
Secretary to Govt
Law Dept.

The Registrar High Court of
Mysore.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read :—

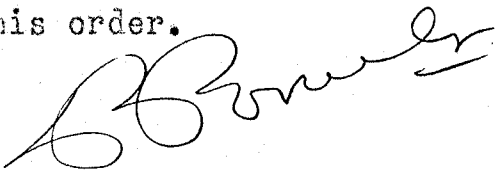
Letter No.Roc.Petn. No.49/39-40 dated 5th March 1941 from the Registrar, High Court of Mysore requesting sanction to introduce a register as register No.XXXIV (Civil) for incorporating the details connected with the applications for ^eratable distribution under Section 73 of the Code of Civil Procedure and to issue necessary instructions for the maintenance of the said register in all the Civil Courts in the State.

O r d e r No. P4876 CS-189-40-2
S n c 2.

Dated, Bangalore, 27th March 1941.

S a n c t i o n e d.

2. The statements relating to the approved form of the Register XXXIV (Civil) and the instructions for the maintenance of the register are appended to this order.


Secretary to Government,
Law Department.

To

The Registrar, High Court of Mysore.

REGISTER No. XXXIV (CIVIL)

Register of Applications for Rateable Distribution.

1. Judgment-debtor's Name:--			
2. Amount available for rateable distribution.		Rs. as. ps.	
Execution case (with number of suit) in which assets are realised.	Name of Decree-holder.	Date when assets received.	Amount to which the decree-holder is entitled by rate- Date of judge's order for distribu-

Other execution cases (with numbers of suits) in which rateable distribution is claimed.

Names of the Decree-holders claiming rateable distribution.

Dates of applications for rateable distribution.

INSTRUCTIONS FOR THE MAINTENANCE OF THE
REGISTER No. XXXIV (Civil)

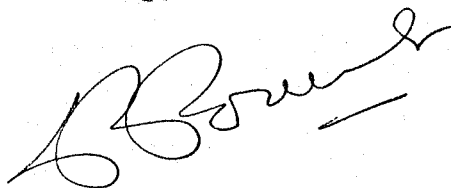
1. One page of the Register should be used for each Execution Case in respect of the assets in which rateable distribution is claimed.

2. That Execution case should be entered as soon as a claim for rateable distribution is made in respect of it, the details for the claim being entered at the same time and the entries being initialled by the head ministerial officers of the Court.

3. Subsequent applications for rateable distribution in the said main Execution Case should be entered as soon as they are received and the entries should be initialled by the head ministerial officer of the Court.

4. The entries in Column 7 should be in accordance with the order of the Judge for distribution.

"Copy"



W Secretary to Government,
Law Department.

